

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

IN RE CROP PROTECTION PRODUCTS
LOYALTY PROGRAM ANTITRUST
LITIGATION

Case No: 1:23-md-3062-TDS-JEP

This document relates to: ALL ACTIONS

**MOTION FOR APPOINTMENT OF THE FIRST-FILED GROUP—COHEN
MILSTEIN, KOREIN TILLERY, LOWEY, AND QUINN EMANUEL—AS
INTERIM CO-LEAD CLASS COUNSEL AND PINTO COATES AS
LIAISON COUNSEL FOR THE PUTATIVE CLASS**

Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure and the Court's order (Dkt. 31), Cohen Milstein Sellers & Toll PLLC ("Cohen Milstein"), Korein Tillery LLC ("Korein Tillery"), Lowey Dannenberg, P.C. ("Lowey"), and Quinn Emanuel Urquhart & Sullivan, LLP ("Quinn Emanuel" and collectively, "the First-Filed Group") respectfully submit this motion and application in support of their appointment as "Interim Co-Lead Counsel" and the appointment of Pinto Coates Kyre & Bowers, PLLC ("Pinto Coates") of Greensboro, North Carolina, as "Liaison Counsel" in this matter.

Movants show the following:

1. The First Filed Group is "best able to represent the interests of the class," FED. R. CIV. P. 23(g)(2), for the reasons set forth herein and in the supporting brief and affidavits filed herewith.

2. The First Filed Group filed the first case in this matter and did extensive independent investigatory and expert work.
3. The First Filed Group collectively has deep experience prosecuting complex class actions and antitrust cases as well as unparalleled trial experience and unique expertise in agricultural matters, including the specific issues raised by this case.
4. The First Filed Group, which combines nationally known class-action experts with the largest litigation-only firm in the world, offers the class significantly more resources and clout than competing Movants.
5. Recognizing the work done on behalf of the Class thus far by the First Filed Group and the unparalleled resources it can untap for the benefit of the Class, a super-majority of the active MDL plaintiffs —41 out of 52—have voiced their support (some privately, some openly) for the First Filed Group to serve as Interim Co-Lead Counsel.

WHEREFORE, for the following reasons, including those set forth in the supporting brief and affidavits, the First Filed Group respectfully requests that the Court grant its motion and appoint Cohen Milstein, Korein Tillery, Lowey, and Quinn Emanuel as Interim Co-Lead Counsel and the appointment of Pinto Coates as Liaison Counsel in this matter.

This the 20th day of April 2023.

Respectfully submitted,

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Proposed Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2023, I caused a true and correct copy of the foregoing to be filed in this Court's CM/ECF system, which will send notification of such filing to counsel of record.

EXECUTED on this 20th day of April, 2023.

PINTO COATES KYRE & BOWERS, PLLC

/s/ Lyn K. Broom
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